

Notice of Allowability

Application No.

09/401,872

Applicant(s)

KETCHUM ET AL.

Examiner

Narayanswamy Subramanian

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/13/2006.
2. ☒ The allowed claim(s) is/are 1,3-10,12-24 and 68-79.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


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DETAILED ACTION

1. This communication is in response to Applicant's communications filed on February 13, 2006. Amendments to claims 1, 6, 7, 9, 10, 12, 13, 16-20 and 22-24 and addition of new claims 68-79 have been entered. Claims 1, 3-10, 12-24 and 68-79 are pending in this application.

Allowable Subject Matter

2. The following is a statement of reasons for the indication of allowable subject matter:

3. The prior art of record (Korhammer US Patent 6,278,982 in view of Gutterman US Patent 5,297,031) teaches an electronic market system for trading of securities comprising a plurality of client stations for entering quotes for securities; and a server computer that receives quotes from the client stations, aggregates the quotes and causes a current quote window to be displayed on the client systems in proximity to the aggregated quotes.

Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach an electronic market system for trading of securities including the step of causing a total of all aggregated quotes to be displayed for each of a plurality of price levels on the client systems. For these reasons claim 1 is deemed to be allowable over the prior art of record, and claims 3-9 and 68-74 are allowed by dependency.

The prior art of record (Korhammer US Patent 6,278,982 in view of Gutterman US Patent 5,297,031) teaches a graphical user interface for an electronic market for trading products comprising an aggregate window, having a first plurality of indicators, each indicator being for one of a plurality of price levels of a product traded in the market; and a current quote window disposed adjacent the aggregate window.

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Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach a graphical user interface for an electronic market for trading products including the step of each indicator displaying a totals of aggregated interest of market participants, with the indicators being controls that when selected by a user allows the user to enter orders to execute against interest represented by the indicator. For these reasons claim 10 is deemed to be allowable over the prior art of record, and claims 12-14 and 75-79 are allowed by dependency.

The prior art of record (Korhammer US Patent 6,278,982 in view of Gutterman US Patent 5,297,031) teaches a method and a computer program product residing on a computer readable medium for use in trading a financial product of operating an electronic market for trading products, comprising receiving from-client system attributable and non attributable quotes for a product and sending from the electronic market data to render a user interface on displays of the client systems, the user interface displaying interest for a plurality of price levels on the client systems.

Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach a method and a computer program product residing on a computer readable medium for use in trading a financial product of operating an electronic market for trading products including the step of aggregating the non-attributable quotes in the product to provide a total of all non-attributable interest at a plurality of price levels. For these reasons claims 16 and 24 are deemed to be allowable over the prior art of record, and claims 17-23 are allowed by dependency.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee, and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled Comments on Statement of Reasons for allowance.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Kaminsky et al (US Pub. No. 2002/0082967 A1) (June 27, 2002) Automated Trading Exchange System Having Integrated Quote Risk Monitoring and Integrated Quote Modification Services

(b) Parunak et al (US Patent 6,536,935 B2) (March 25, 2003) Computerized System for Market Based Constraint Optimization

(c) Hambrecht et al (US Patent 6,629,082 B1) (September 30, 2003) Auction System and Method for Pricing and Allocation During Capital Formation

(d) Van horn et al (US Patent 6,631,356 B1) (October 7, 2003) Demand Aggregating Through Online Buying Groups

(e) Kohls et al (US Patent 7,020,632 B1) (March 28, 2006) Trading System for Fixed-Value Contracts


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Hyung sub Sough can be reached at (571) 272-6799. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dr. N. Subramanian *NS*.
July 26, 2006


HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
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